

COMMITTEE AMENDMENT FORM

DATE: 06/27/ 07

COMMITTEE ZONING PAGE NUM. (S)

ORDINANCE I. D. #07-O-0260 SECTION (S)

RESOLUTION I. D. #07-R- PARA.

AMENDS THE LEGISLATION BY ADDING TWO (2) CONDITIONS ONE OF WHICH IS A SITE PLAN DATED RECEIVED BY THE BUREAOF PLANNING 5/10/07.

AMENDMENT DONE BY COUNCIL STAFF 06/27/07

City Council
Atlanta, Georgia

07-O-0260

AN AMENDED ORDINANCE
BY: ZONING COMMITTEE

Z-06-145
Date Filed: 10-31-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **216 Southside Industrial Parkway, S.E. (also known as Poole Creek)**, be changed from the R4 (Single family Residential) District to the RLC-C (Residential Limited Commercial-Conditional) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 64, 14th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

Conditions for Z-06-145 for 216 Poole Creek Road (aka Southside Industrial Parkway)

1. Site plan titled "Charles Rainey Property Rezoning Site Plan stamped received by the Bureau of Planning on May 10, 2007.
2. The following uses are prohibited:
 - Barbershops, beauty shops, and similar personal service establishments.
 - Child care centers, day care centers, prekindergartens, kindergartens, play and other special schools for young children.
 - Churches, synagogues, temples, mosques and other religious worship facilities, having a minimum lot area of at least one acre.
 - Multifamily dwellings.
 - Public schools or private schools having similar academic curricula and special schools for exceptional children.
 - Rooming houses.
 - Package stores
 - Structures and uses required for operation of MARTA but not including uses involving storage, train yards, warehousing, switching or maintenance shop as the primary

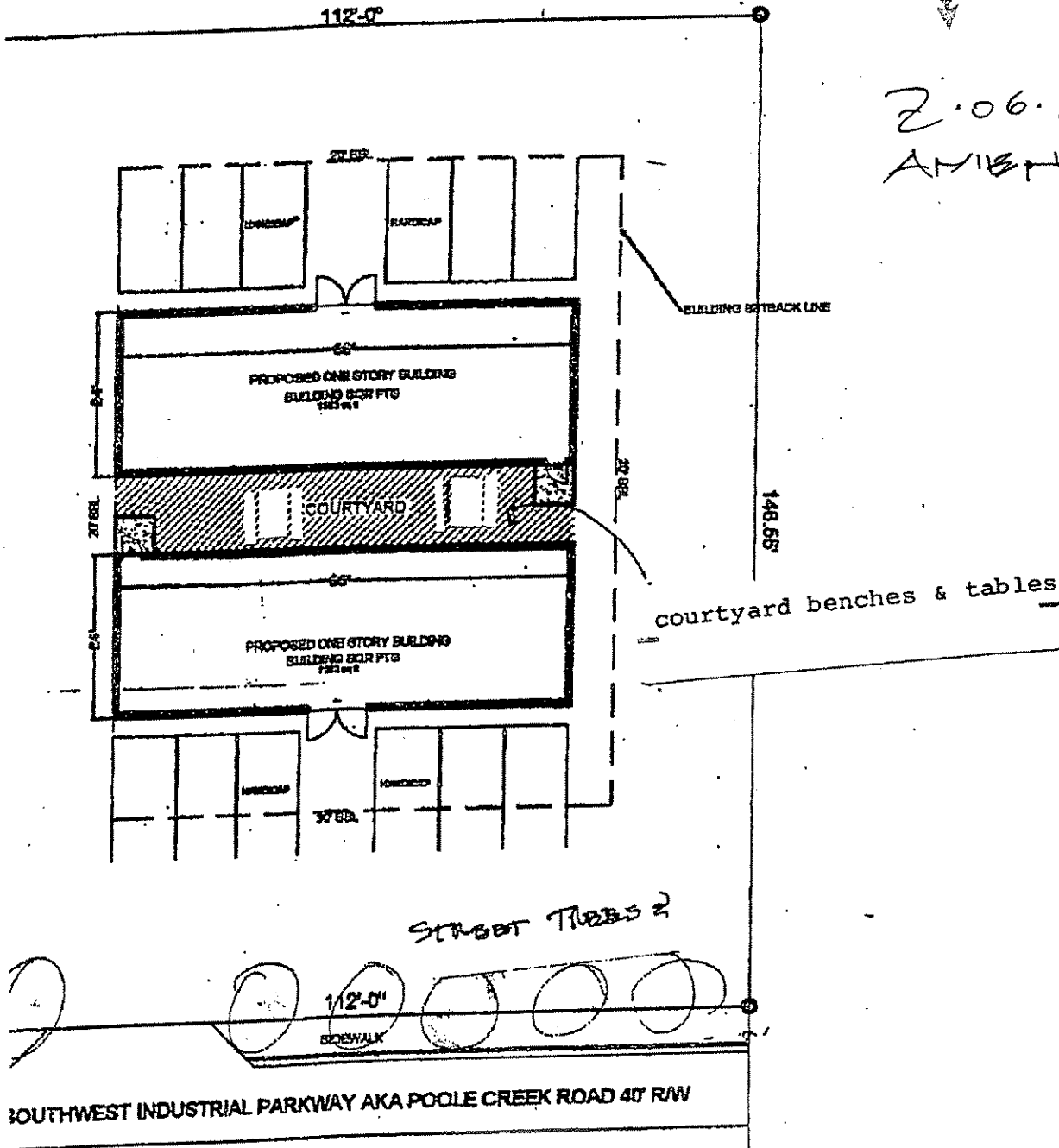
Jun 04 07 09:15a Poolecreek Bookkeeping an 4045590722

p.2

CHARLES RAINEY PROPERTY REZONING SITE PLAN

RECEIVED
JUN 7 - 2007
BUREAU OF
PLANNING

2.06.145
AMENDED



STREET TREES 2

1/2'-0"

BIOWALK

SOUTHWEST INDUSTRIAL PARKWAY AKA POOLE CREEK ROAD 40' R/W

City Council
Atlanta, Georgia

07-0-0260

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ALL THAT TRACT or parcel of land lying and being in Land Lot 64, 14th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 64 of the 14th District of Fulton County, Georgia, and described as follows:

Beginning at a point three hundred ten and one-half (310.5) feet west of the 50 foot right-of-way of the intersection of Gilbert Road (formerly Forrest Park Road) and Pool Creek Road (formerly the Hapeville Road); thence running west along Gilbert Road (formerly Forrest Park Road) one hundred twelve (112) feet; thence north one hundred forty-five and eighty-three tenths (145.83) feet to the line of the Thomas property; thence east one hundred twelve (112) feet; thence south one hundred forty-six and fifty-five tenths (146.55) feet to the point of beginning, according to survey prepared by Samuel G. Evans, Jr., Georgia Registered Land Surveyor No. 1159 dated December 31, 1975.

2-06-146

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RECEIVED
OCT 31 2006
Bureau of
Planning

RCS# 936
2/19/07
3:22 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

07-O-0257, 0258, 0259, 0260, 0261, 0262, 0263,
07-O-0264, 0265, 0266, 0267, 0268, 0269
REFER ZRB/ZONE

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 2

Y Smith	B Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	Y Martin	B Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

MULTIPLE